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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/27/2001

Victor Hsieh

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05/25/2006

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EXAMINER

KRAMER, JAMES A

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/967,233

Applicant(s)

HSIEH, VICTOR

Examiner

James A. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/6/06 has been entered.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lunenfeld in view of Gralla ("*How the Internet Works*").

Claims 8-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Lunenfeld.

Lunenfeld teaches a client-server multitasking process comprising: receiving a request comprising searching criteria, comprising n search queries, at least two of which comprise different query values directed to different server addresses, request grouping criteria, and display criteria specifying for which request group information is to be returned; processing n

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search query and server address pairs into m request groups; for the search queries in the specified request group, sending to the server designated by the server address a query derived from the corresponding search query; receiving response information from the servers; processing the response information into a plurality of return groups by associating a different query value with a different one of the return groups and merging into the return group the response information from the servers that received queries directed to the query value associated with the return group; consolidating the return groups into a consolidated response; returning the consolidated response (abstract).

Examiner notes that the preceding teachings represent:

- Receiving from an online user a request
- Constructing search requests for the received request
- Submitting the constructed search requests
- Extracting information from the search requests
- Displaying the extracted information to the user

Lundenfeld further teaches, the client-server multitasking system should be capable of, for example, determining best query results, with respect to a plurality of search engine results; purchasing and/or price comparisons, viewing and/or reviewing prices/values and trends for different sites, determining lowest costs and lowest cost analyses for wholesale and retail purposes; product availability, e.g., airline tickets, pricing, and ticket availability, from different airlines to the same and/or different locations (column 7; lines 34-45). Examiner notes that this represents searching vendor sites for a price comparison.

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Lundenfeld further teach a PS server which parses, processes and/or formats the information requests. The server PS may also make additional optional requests of optional offline databases (reference the section of server PS starting at column 42; line 10). Examiner notes that this represents Applicant's offline database having vendor descriptions for a plurality of vendor sites including a URL for each of the sites, description domain and generalized rules about how product information is organized.

Lunenfeld does not specifically teach using search form URLs. Applicant teaches search form URLs in the specification on page 25, lines 3-14. Examiner submits Gralla as evidence that search form URL's were an old and well known means of searching the Internet. Examiner specifically relies on page 189 box 3, which teaches agents which are intelligent enough to know the proper syntax to search a server. This feature provides efficiency, as the agent doesn't have to fill out forms a normal user would be required to fill out.

It would have been obvious to one of ordinary skill at the art at the time of the invention to modify the searching agent of Lunenfeld to include searching using a sites preferred method including search form URLs as taught by Gralla. One of ordinary skill in the art would have been motivated to make such a modification in order to provide efficiency as taught by Gralla.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Response to Arguments***

Applicant's arguments filed 03/06/06 have been fully considered but they are not persuasive.

Applicant asserts that Lunenfeld fails to teach a search form URL submitted directly to the vendor server, rather Lunenfeld relies solely on search engines such as AltaVista, WebCrawler and Lycos.

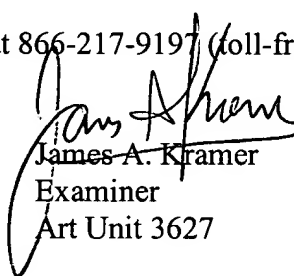
Examiner respectfully disagrees and notes that Lunenfeld teaches a multitasking system used to search a variety of formats in a variety of manners. Specifically, Lunenfeld teaches multiple simultaneous searches of search engines (for example Alta Vista, WebCrawler, Lycos) and also web sites, servers and locations on a network. As such, it is the position of the Examiner that the combination of Lunenfeld and Gralla teaches search form URLs for searching specific vendor sites (i.e. web sites, servers and locations on a network).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (571) 272 6783. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272 6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
James A. Kramer  
Examiner  
Art Unit 3627

5/23/06

jak